

author of the amendment requiring the Secretary to undertake rulemaking in this area, I am sensitive to this concern, and I would expect the Secretary to address it when implementing this act, including when making determinations under the following provisions: (1) Section 5318A(a)(3)(B)(ii), which requires the Secretary to consider, in selecting which special measure to take, "whether the imposition of any particular special measure would create a significant competitive disadvantage, including any undue cost or burden associated with compliance, for financial institutions organized or licensed in the United States;" and (2) those above-referenced provisions that permit only those steps that the Secretary determines to be "reasonable and practicable" to identify the beneficial ownership of accounts or funds, which provisions impose an enforceable constraint on the substance of any rule or order under either Section 5318A(b)(1)(B)(iii) or (b)(2).

In addition, Section 5318A(e)(3) requires the Secretary to "promulgate regulations defining beneficial ownership of an account" for purposes of Section 5318A and subsections (i) and (j) of Section 5318. This is the Bennett amendment. Section 5318A(e)(4) gives the Secretary the authority, *inter alia*, to "define . . . terms for the purposes of" Section 5318A "by regulation." I would strongly encourage the Secretary to define the meaning of the phrases "beneficial ownership" as well as "reasonable and practicable steps" for the purposes of Sections 5318A(b)(1)(B)(iii) and (b)(2), through formal rulemaking subject to notice and comment, taking due consideration of the potential impact of such regulations on smaller institutions, and on all institutions, with an eye toward balancing regulatory burden, legitimate privacy interests, and the ability of United States financial institutions to compete globally. To the extent the Secretary opts for informal guidance on "reasonable and practicable steps," I would urge informal consultation with interested parties.

Specifically, I would note that several agencies have issued regulations or supervisory guidance defining the term "beneficial owner" or outlining what constitutes reasonable steps to obtain beneficial ownership information, in each instance for the issuing agency's own purposes. See, e.g., 17 C.F.R. §228.403; 26 C.F.R. §1.1441-1(c)(6); 28 C.F.R. §9.2(e); Letter re: Public Securities Association (Sept. 29, 1995) (SEC staff "no action" letter addressing 17 C.F.R. §240.10b-10); Guidance on Sound Risk Management Practices Governing Private Banking Activities, prepared by the Federal Reserve Bank of New York (July 1997); and Office of the Comptroller of the Currency Bank Secrecy Act Handbook (September 1996). These sources may be instructive for the Secretary in providing definitions of the phrases "beneficial ownership" and "reasonable and practicable steps."

ADDITIONAL STATEMENTS

IN MEMORY OF STANLEY FOSTER

• Mrs. BOXER. Mr. President, I would like to take this moment to reflect on the life of my friend and well-known philanthropist, Stanley Foster.

Stan died of cancer on November 14, 2001 in San Diego, CA, at the age of 74. His death represents a great loss for the people of San Diego, the State of California and the Nation, who benefited immensely from his extraordinary dedication and commitment to his community. His strong passion to make a difference, particularly reflected in his work to prevent gun violence, has made a lasting impact on all our lives.

Stan Foster was the son of a scrap-dealer from Ukraine. After graduating from the University of Washington, he owned a retail furniture store in Portland before settling in San Diego in 1954.

A man from humble beginnings, Stan gradually rose to become a successful businessman as the owner of the popular Hang Ten sportswear label. Throughout his career, he took great pride in reinvesting in the community. He was actively involved in organizations including the Chamber of Commerce, the United Way, the Jewish Federation and the Combined Arts Council. He also played a significant role in the political sphere, earning respect and admiration from legislators on both sides of the aisle. But he is most well known for his unwavering commitment to the fight against gun violence.

In the 1980s, Stan sold the Hang Ten company and shifted his priorities towards his civic work. Affected by an incident that occurred in his teenage life, Stan dedicated much of his time to help combat gun violence. In pursuit of this mission, he founded San Diegans Against Handgun Violence in 1988 and also became national vice chairman of Handgun Control, Incorporated. As a leader of San Diegans Against Handgun Violence, he fought for gun safety and tougher gun laws. He was a true national leader in this fight.

I will miss Stan Foster. He enriched many lives in California and throughout our Nation. Although we mourn the loss of a great leader, we will always remember his powerful voice for justice. His generosity and compassion will remain in our hearts, inspiring us to follow his unforgettable legacy. •

COMCAST CARES DAY AT ANACOSTIA SENIOR HIGH SCHOOL

• Mr. BIDEN. Mr. President, on October 13, 2001, as part of Comcast's nationwide Day of Service, and in conjunction with Greater DC Cares, several hundred Comcast employees from the Washington, DC area volunteered to clean, landscape, and paint Anacostia Senior High School. In the wake of the tragedy of September 11, the

Comcast Foundation has contributed \$100 to disaster relief efforts in New York City and at the Pentagon for every employee and family member who participated in the clean-up. Comcast and every participating employee should be commended for their outstanding dedication and commitment to improving their community.

Nationwide, more than five thousand Comcast employees from twenty-six States volunteered their time on Comcast Cares Day. Though it may have been the work of only one corporation and one group of employees, Comcast's community service and the volunteer spirit of its employees represents the best of America.

The best of America can also be seen in other places around our country. Since September 11, Americans have risen to the occasion to aid their fellow citizen. In every city and town across America, individuals have taken the lead in community efforts like the one at Anacostia Senior High School. In my home State of Delaware, corporations such as Daimler-Chrysler, MBNA Bank and the DuPont Corporation have lent a helping hand to assist those in need. Furthermore, fire companies, school children, and individuals from all walks of life have come together providing assistance and comfort to the victims of the horrible September 11 attack.

Not to overstate the case, but there seems to be a renewed spirit of community in America where, not long ago, we seemed more divided by differences than united by common concerns and shared values. Corporations like Comcast and their employees have heard the call. They have pulled together and responded where there is a need and, in the District of Columbia, Anacostia Senior High School was the place. It was not the work that was done there on October 13, or the time and sweat of all those who volunteered, that should inspire us the most, but the overriding sense that all of us working together can make a difference in our communities.

After the tragedy of September 11, Americans responded when we saw the courage and dedication of New York police, firemen, and emergency workers. From their example have come story after story of corporations like Comcast reaching out, taking a lead in their communities, and making a difference. Comcast, The Comcast Foundation, and the dedicated employees who participated in making a difference at Anacostia Senior High School should be commended by all of us in the United States Senate who know how much we can accomplish when we work together.

Yet, this sense of corporate responsibility is not new for the Comcast Corporation. Comcast always has been an active participant in the communities it serves. Whether it is their support of the Boys and Girls Clubs of America, the Red Cross, or the Easter Seals, Comcast has insisted on excellence not

only in all aspects of its operation, but in its record of public service. This is a testament to the leadership of its founder and Chairman, Ralph Roberts, President, Brian Roberts, and Vice President, Joe Waz. These men serve as role-models in their communities and are true heroes in every sense of the word.

If we learned anything from September 11 it was that the will and resolve of the American people cannot be shaken by those who would use terror as a weapon and religion as a shield. We are strongest and at our best when we are defending American values and the bedrock principles of democracy. If anything changed on September 11 it was a renewed determination for all of us to reach out where and when we can, and to recognize that we are much more united by our common concerns and shared values than divided by our individual differences. Companies like Comcast have recognized a community need, reached out, and made a difference, and they deserve the recognition of a grateful Nation.●

TRIBUTE TO JAMES V. PARRILLO

● Mr. CORZINE. Madam President, I would like to bring to the attention of my colleagues a great man from the State of New Jersey, Mr. James V. Parrillo. A 66 year old native of Newark, Mr. Parrillo is a man of integrity who has devoted his time and talents to making his city a thriving urban center.

A graduate of East Side High School, Mr. Parrillo currently serves as a community relations specialist at the Newark Housing Authority. In this capacity he is responsible for coordinating special events, including an annual parade and senior citizen fashion show.

A grassroots coalition-builder and youth advocate, Mr. Parrillo is also involved in strengthening the community and promoting the development of children. For the past fifteen years he has sponsored a little league baseball team in Newark's Ironbound section, providing a much needed recreational outlet for the city's young people. Most recently, he was elected to serve as a member of the Newark Board of Education and is chairman of its Community Development Committee.

In 1981, Jimmy, as he is affectionately known, established the Jimmy Parrillo Civic Association, an organization comprised of representatives from the business, educational, and political communities. Each year the association recognizes the achievements of individuals who have contributed to promoting stable communities in the city of Newark.

I want you to know that James V. Parrillo is a true American and believes that all people should have access to America's Promise. An unselfish man, he has the gift of bringing people together to work for a common cause.

Jimmy believes that he can make a difference. The city of Newark is a bet-

ter city today because of his dedication and leadership.

Lastly, I am proud to call Jimmy a friend and it is an honor for me to bring him to your attention.●

TRIBUTE TO VERNON ALLEY

● Mrs. BOXER. Mr. President, earlier this year our country was treated to "Jazz," the latest documentary by Ken Burns. The ambitious, multi-part series traced the personalities, culture and, of course, music of jazz from its origins in turn of the century New Orleans until the present day. Like his critically acclaimed documentaries on the Civil War and baseball, Mr. Burns' production was as much a meditation on America and the nature of our democracy as it was an overview of jazz itself. For those who have not yet had a chance to see this wonderful exploration, I highly recommend it.

Jazz is a distinctly American art form, born of many different influences and nurtured in a wide variety of contexts and communities. Although often over-shadowed by cities such as New Orleans, New York and Kansas City, San Francisco was and remains one such community. Over the years, it has been home and played host to many of jazz's greatest talents.

Perhaps no musician better personifies San Francisco's connection and contributions to jazz than bassist Vernon Alley. Vernon Alley is a longtime San Franciscan. He grew up in the City and has maintained a band here off and on since the mid-forties. As jazz vocalist Jon Hendricks once remarked, "[Vernon is] the dean of San Francisco jazz."

Mr. Alley began his lifelong association with San Francisco and jazz when he accompanied his parents to see a performance by the incomparable Jelly Roll Morton at Maple Hall. Thus inspired, Vernon went on to dedicate his life to music. Arriving in New York as a young man at the high point of the swing era, he played with some of the biggest names in the business, including both the Lionel Hampton and Count Basie Orchestras. Always a sought after accompanist, in later years he would play with such other legends as Duke Ellington, Ella Fitzgerald, Dizzy Gillespie, Erroll Garner and more.

Although he may have been able to gain wider exposure or acclaim if he remained in New York, Vernon returned to San Francisco after World War II. Here he is beloved, not only for the power, warmth and lyrical quality of his music, but also for his great personal charm. I have had the pleasure of meeting Vernon Alley and seeing him perform. He is a gifted and gracious man and certainly a Bay Area treasure.

Vernon was honored this year at the prestigious San Francisco Jazz Festival with the SFJAZZ Beacon Award for his achievements in music and as a stalwart in the community. Mayor Willie Brown declared October 30, 2001

"Vernon Alley Day." That evening Vernon joined 15 friends on the stage for a three and a half hour tribute concert. By all accounts it was night filled with joy and an appreciation of how the gifts of one man can be gifts to us all.

I am greatly encouraged by what I see as a renewed sense of love for America and respect for its traditions and achievements. In Jazz, we see a reflection of ourselves at our finest. And in Vernon Alley we see the embodiment of jazz at its finest. For keeping this art form alive, we owe him our deepest thanks.●

MESSAGES FROM THE HOUSE

At 12:28 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that pursuant to section 3(b) of the Public Safety Officer Medal of Valor Act of 2001 (Public Law 107-12), the Majority Leader appoints the following individuals to the Medal of Valor Review Board: Mr. Oliver "Glenn" Boyer of Hillsboro, Missouri and Mr. Richard "Smokey" Dyer of Kansas City, Missouri.

The message also announced that the House has agreed to the amendments of the Senate to the bill (H.R. 10) to provide for pension reform, and for other purposes.

The message further announced that the House has agreed to the amendments of the Senate to the bill (H.R. 2540) to amend title 38, United States Code, to make various improvement to veterans benefits programs under laws administered by the Secretary of Veterans Affairs, and for other purposes.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 2716) to amend title 38, United States Code, to revise, improve, and consolidate provisions of law providing benefits and services for homeless veterans.

The message further announced that the House has agreed to the amendment of the Senate to the amendment of the House to the bill (S. 1196) to amend the Small Business Investment Act of 1958, and for other purposes.

The message also announced that the House has agreed to the amendments of the Senate to the bill (H.R. 1291) to amend title 38, United States Code, to increase the amount of educational benefits for veterans under the Montgomery GI bill, with an amendment; in which it requests the concurrence of the Senate.

The message further announced that the House has passed the following joint resolution, without amendment:

S.J. Res. 26. A joint resolution providing for the appointment of Patricia Q. Stonesifer as a citizen regent of the Board of Regents of the Smithsonian Institution.

The message also announced that the House has agreed to the following concurrent resolution, without amendment: